



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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January 22, 2008

Ref: 8EPR-N

Cornell Christensen
Bureau of Land Management
Richfield Field Office
150 East, 900 North
Richfield, Utah 84701

RE: Draft RMP/EIS for the Richfield Field Office
Planning Area CEQ#: 20070435

Dear Mr. Christensen:

Consistent with our responsibilities and authorities under the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act, the Region 8 Office of the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Bureau of Land Management's (BLM) Richfield Field Office Planning Area (RFOPA). The BLM manages approximately 2.1 million acres of public lands, and an additional 1.5 million and 95,000 acres of mineral resources underlying national forests and private/state lands respectively within this Field Office. These lands and resources are located within the following six counties in Utah: Sanpete, Sevier, Piute, Wayne, Garfield, and Kane.

This RMP will revise and replace six existing land use plans. When completed, the RMP revision will provide long-term management direction to BLM on planning issues, including: recreation and travel (including OHV use), minerals and energy resources, special designations, non-Wilderness Study Area (WSA) lands with wilderness characteristics, and visual resources. The Draft RMP/EIS considers five alternatives. Alternative N, No Action, would continue the existing management program. Alternative A emphasizes commodity production, mineral extraction, and motorized recreation. Alternative B, BLM's Preferred Alternative, attempts to balance protection and conservation of physical, biological, and cultural resources while providing for commodity production and mineral extraction. Alternative C emphasizes conservation of physical, biological, and cultural resources over commodity production, mineral extraction, and motorized recreation. Alternative D is equivalent to Alternative C except that it includes management of non-WSA lands to maintain their wilderness characteristics.

Our review of the Draft RMP/EIS includes concerns associated with recreation and travel management including off-highway vehicle (OHV) use, Areas of Critical Environmental Concern (ACEC), riparian and wetland areas, air quality, and water quality. Our detailed comments are enclosed. Our general comments follow:

Air Quality Analysis Concerns

The BLM analyzed general trends in air quality and visibility impacts specific to new sources without conducting air dispersion modeling due to lack of quantitative data such as air monitoring data. As stated on top of page 4-4 of the DRAFT RMP/EIS, “In absence of quantitative data, the BLM relied on best professional judgment, impacts are sometimes described using ranges of potential impacts or in qualitative terms, if appropriate.” Under the alternatives listed in the DRAFT RMP/EIS, general air quality impacts were characterized by various methods for Fires and Fuels Management, Travel Management and Minerals and Energy. The DRAFT RMP/EIS does not describe nor calculate the projected concentrations for any of the alternatives. We recommend that BLM disclose projected National Ambient Air Quality Standard (NAAQS) and visibility pollutant concentrations in the Final EIS (FEIS).

The results of the semi-quantitative analysis omit potential impacts to ozone, visibility, or deposition. The planning area encompasses the Class I area of Capital Reef National Park, which requires special protection of air-quality related values. Also, adjacent to or near the RFOPA are the Class I areas of Bryce Canyon and Canyonlands National Parks. Ozone may be of particular concern because of the potential emissions of volatile organic compounds and oxides of nitrogen from sources in the planning, including oil and gas development (e.g., the new Wolverine Field).

Section 4.7.4.1.1 summarizes cumulative impacts to air quality. Coal, mining, oil and gas developments are expected to occur at a relatively low rate (for example, 30 oil and gas wells/year for all public and private lands within the RFOPA). Because of the pollutant estimate approach taken, however, it is not possible to determine potential impacts from specific development on sensitive receptors in or near the planning area. Nevertheless, it is important to assign future responsibility for project-specific air quality analyses. We recommend that the FEIS contain wording similar to the following excerpt from the Rawlins, Wyoming Draft RMP/EIS, which used a comparative, emissions-based approach: *As project-specific developments are proposed, quantitative air quality analysis would be conducted for project-specific assessments performed pursuant to NEPA.* We also believe that all project-specific NEPA documents should be subject to full disclosure and public review.

The Draft RMP/EIS makes no specific mention of carbon dioxide (CO₂) as a greenhouse gas that would be emitted from various sources in the planning area and does not generally address potential effects on climate change. The Final RMP/EIS should include information on these effects from fires and other sources (e.g., oil and gas development). Additionally, we recommend that the BLM encourage oil and gas lessees to participate in EPA’s Natural Gas STAR program. Through this Program (www.epa.gov/gasstar), EPA works with companies who produce, process, transmit, and distribute natural gas to identify and promote the implementation of cost-effective technologies/practices to reduce emissions of methane, a potent greenhouse gas.

Travel/Recreation Management Concerns

The BLM is taking, or is proposing to take, a number of actions including elimination

open OHV travel in all but 8,400 acres of the RFOPA by limiting recreational travel to designated routes. However, EPA is concerned that the BLM will be unable to adequately control and mitigate ongoing and future impacts to cultural, paleontological, riparian, visual, soil, vegetation, rare plant and animal species, and other unique and valuable resources in/around these open OHV travel areas as proposed under Alternative B. Our detailed comments recommend actions (e.g., special designations) EPA believes are needed to successfully address these impacts.

EPA's Rating

EPA has a responsibility to provide an independent review and evaluation of the potential environmental impacts associated with this Draft RMP/EIS. Based on the procedures EPA uses to evaluate the adequacy of the information and potential impacts of the Preferred Alternative, EPA is rating the Draft EIS as Environmental Concerns- Insufficient Information, "EC-2." "EC" signifies that EPA's review of this Draft RMP/EIS has identified environmental impacts that should be avoided in order to fully protect the environment. EPA is concerned that the actual and potential environmental impacts associated with the travel and recreation management issues the BLM is facing will not be adequately mitigated under the Preferred Alternative, and that a number of actions need to be included in the FEIS. The rating of "2" indicates that the Draft RMP/EIS lacks sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment. EPA is concerned about the lack of information in BLM's analysis of impacts to air quality, riparian and wetlands resources, and water quality, and believes this information should be included in the FEIS. A description of EPA's EIS rating system is enclosed.

EPA recognizes the complexity and diversity of the proposed resource management actions and supports BLM's intention to move forward promptly to implement a new RMP plan based on emerging issues and changing circumstances. We expect that planning issues discussed in our comments will continue to be among those monitored as the plan is implemented. If you would like to discuss these comments, or any other issues related to our review of the Draft RMP/EIS, please contact Douglas Minter at 303-312-6079.

Sincerely,

/s/ Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

Enclosures



Detailed EPA Comments on the Bureau of Land Management's Draft Richfield Resource Management Plan/Environmental Impact Statement

Draft RMP/EIS Overview

The RFOPA encompasses mountains, canyons, plateaus and deserts of the Great Basin and Colorado Plateau physiographic provinces, including the Henry Mountains, Parker Mountain, the Sevier, Fremont and Dirty Devil Rivers, North and South Caineville Mesas and Factory Butte. The public lands border portions of Glen Canyon National Recreation Area, Capitol Reef and Canyonlands National Parks, and the Dixie, Fishlake, Manti-LaSal, and Uinta National Forests.

This RMP will establish guidance, objectives, policies, and management actions for the surface and subsurface (mineral) estate administered by the RFO in Sanpete, Sevier, Piute, Wayne, Garfield, and Kane Counties in Utah, and the mineral estate under all BLM lands and the adjoining National Forests. Five Alternatives are proposed:

1. Alternative N is the No Action Alternative that would continue the existing management program based on six different land use plans, as amended.
2. Alternative A emphasizes commodity production, mineral extraction, and motorized recreation (note: as this Alternative would generally result in relatively greater environmental impacts than Alternatives B,C, or D, it is not discussed further in the comments below).
3. Alternative B is the Preferred Alternative attempting to balance protection and conservation of physical, biological, and cultural resources while providing for commodity production and mineral extraction.
4. Alternative C emphasizes conservation of physical, biological, and cultural resources over commodity production, mineral extraction, and motorized recreation.
5. Alternative D is equivalent to Alternative C except that it conserves the most land area through emphasizing management of non-WSA lands to maintain their wilderness characteristics.

Planning issues identified for this RMP revision focus on recreation and travel (including OHV use), minerals and energy resources, special designations, non-WSA lands with wilderness characteristics, and visual resources. In developing the Proposed RMP/Final EIS, the BLM may select various management decisions from each of the Alternatives analyzed in the Draft RMP/EIS for the purpose of creating a management strategy that best meets the needs of the resources and values in this area under its multiple use and sustained yield mandate.

Under Alternative B, 655,900 acres would be designated as either Visual Resource Management Class I or II to preserve and retain the existing scenic character of the landscape, an increase from the 529,500 acres currently designated VRM Class II under Alternative N. While Alternative C is similar to Alternative B, Alternative D would substantially increase the number of acres designated primarily as VRM Class I to 1,196,300 through managing non-WSA lands to

preserve their wilderness characteristics as noted below. VRM Class I and II landscapes include areas that possess outstanding scenic quality and/or high visual sensitivity.

Under Alternative B, 8,400 acres would be designated for open (i.e., cross-country motorized) OHV travel use (versus 0 acres in Alternatives C and D), a **significant decrease** from the 1,636,400 acres currently open under Alternative N. Alternative B would close 210,400 acres (versus 683,000 acres in Alternative C and 1,155,200 acres in Alternative D) to OHV travel, a slight decrease from the 214,000 acres currently closed under Alternative N. All other OHV use is proposed to be limited to designated travel routes, some with seasonal closures or size/width restrictions. These route designations are implementation decisions that could change over time.

Alternative B also proposes to: 1) designate five Special Recreation Management Areas (SRMA) covering 838,700 acres (versus four SRMAs covering 928,550 acres in Alternative C and seven SRMAs covering 1,358,200 acres in Alternative D), a **significant increase** from the one existing SRMA covering 120 acres under Alternative N; 2) designate one existing and one new ACEC covering 2,530 acres (versus 16 ACECs covering 886,810 acres in Alternatives C and D), a decrease from the four existing ACECs covering 14,780 acres under Alternative N (note: essentially all acreage in the three existing ACECs proposed for de-designation under Alternative B are located within WSAs); 3) recommend two segments or 59 miles of two eligible rivers as suitable for Wild, Scenic or Recreational River (WSR) designation (versus 12 segments or all 135 miles of 12 eligible rivers in Alternatives C and D), a **significant increase** as no river segments are currently recommended as suitable under Alternative N. Although Alternative B would also decrease the number of miles of eligible river segments currently managed to protect their outstandingly remarkable values under Alternative N from 135 to 59 (note: 63 of the remaining 76 miles are located within WSAs); and 4) provide no special management specifically for protection of non-WSA lands to maintain their wilderness characteristics (versus 0 acres in Alternative C and 682,600 acres or all non-WSA lands in 29 areas in Alternative D), equivalent to the absence of such management currently under Alternative N.

For oil and gas leasing, Alternative B proposes to: 1) close 450,500 acres (versus 586,300 acres in Alternative C and 1,160,500 acres in Alternative D), a slight decrease from the 459,700 acres currently closed under Alternative N; 2) manage 110,900 acres with no surface occupancy (NSO) stipulations (versus 148,700 acres in Alternative C and 43,300 acres in Alternative D), a **significant increase** from the 22,600 acres currently stipulated as NSO under Alternative N; 3) open 545,000 acres with standard stipulations (versus 491,900 acres in Alternative C and 290,200 acres under Alternative D), a **significant decrease** from the 1,236,500 acres currently open with standard stipulations under Alternative N; and 4) manage the remaining 1,021,600 acres with timing limitation (TL) or controlled surface use (CSU) stipulations (versus 901,100 acres in Alternative C and 634,000 acres in Alternative D), a **significant increase** from the 409,200 acres currently with TL or CSU stipulations under Alternative N. Approximately 454 oil and gas wells are projected for all (BLM and non-BLM) lands within the RFOPA over the next 15 years, the majority of which (360) would be in the Sevier and Sanpete River valleys in the northwestern part of the RFOPA.

Travel and Recreation Management

We commend the BLM for moving from allowing open OHV travel throughout many parts of the RFOPA to limiting recreational travel to designated routes. We believe such designation in heavy OHV travel and unrestricted camping areas where resource damage is occurring is particularly important. In the open OHV travel area in/around Factory Butte where significant resource damage has occurred, we also commend the BLM for closing off areas to protect threatened and endangered plant species including the Wright Fishhook and Winkler cacti. In order to provide long-term protection of these resources, we recommend that open OHV travel be limited to the area that includes most of the Mancos shale badlands in/around Swing Arm City by continuing to restrict OHV travel to designated routes. We also recommend that:

1) dispersed camping activities be closely monitored in this area for additional impacts to these threatened cacti; and 2) that a portion of this area immediately adjacent to the Capitol Reef Country Scenic Byway on Utah Highway 24 be reclassified from VRM Class IV to III to help protect important visual resources for other users (e.g., scenic drivers and photographers).

While the consequences from resource damage may not be as significant in other open OHV travel areas, we could only find indirect references to these impacts associated with this and other recreational (e.g., unrestricted camping and parking) activities in the Draft RMP/EIS (e.g., on pages 3-69, 4-275, 4-283, and 4-484). Accordingly, we believe damage to soils, vegetation, cultural and paleontological resources, scenic quality, riparian, aquatic and/or other important resources should be more fully disclosed, and site-specific mitigation measures (i.e., signage, fencing and other barriers) be proposed in the FEIS to ensure these resources are restored and protected. Such disclosure and mitigation is particularly important for other heavily-used areas proposed to remain open for OHV travel under Alternative B: 1) Big Rocks Trials Area (270 acres) which provides trials motorcycle/rock crawling recreational opportunities; 2) Glenwood Play Area (3,300 acres) to be managed as a community OHV area; 3) Aurora Play Area (310 acres) to be managed as a community OHV area; and 4) Mayfield Open Area (1,900 acres) to be managed as a community OHV play area.

It is our understanding that decisions on designating travel routes throughout the RFOPA proposed in the various Alternatives was the result of a collaborative effort involving a number of stakeholders, including local land owners and county governments. However, we could not find information in the Draft RMP/EIS specifically describing the process that BLM used to date in deciding which travel routes to formally designate. Given the sensitivity around this issue, we recommend that BLM disclose this process in the FEIS in the interest of all stakeholders. We suggest the RFO consider disclosure through an appendix, similar to how the BLM's Moab Office provided this information in its Draft RMP/EIS (see Appendix G entitled "Travel Plan Development").

Due in part to the resource damage that has occurred in various areas of the RFOPA from open OHV travel and other recreational uses, we recommend designation of the two SRMAs for

motorized recreation (i.e., Factory Butte and Big Rocks) and three SRMAs for dispersed recreation (i.e., Henry Mountains, Dirty Devil, and Capitol Reef Gateway) as proposed under Alternative B. We also support the BLM's preferred method of managing community OHV play areas and the Paiute Trail System through partnering with local, county, and state, and federal agencies, and recommend that the BLM promote collection of user fees through these agencies if additional resources are needed in order to restore, maintain, and protect cultural and natural resources that have been or may be impacted.

We recognize the BLM's law enforcement staff is faced with the considerable task of monitoring compliance and addressing violations associated with the growing demand the use of BLM lands within the RFOPA, including recreation. Given its limited capacity in the near-term to substantially increase its law enforcement presence to address this demand, EPA recommends that BLM leverage its existing law enforcement resources to the maximum extent possible. Specifically, we recommend that, in collaboration with its local partners, BLM maintain a credible field presence for promoting and monitoring recreational user compliance by hiring seasonal (spring through fall) field technicians to: 1) inform OHV and other recreational users of the management prescriptions in place; 2) construct signage and fencing or other barriers to prevent further impacts; 3) promptly remediate any new impacts to further discourage land use violations; and 4) document and report violations to BLM enforcement officers for ticketing.

Areas of Critical Environmental Concern (ACECs)

Additional disclosure is needed on the resource values associated many of the ACECs being considered for designation to clearly demonstrate whether or not special management attention is warranted to protect and prevent irreparable damage to relevant and important historic, cultural and scenic values; fish, wildlife resources or other natural systems or processes; or to protect human life and safety from natural hazards. For example, we recommend designation of a portion of the new Badlands Potential Research Natural Area in/around Factory Butte given the resource damage that has occurred, and could continue to occur, from open OHV travel. However, a more complete discussion on the relevance and importance of the scenic, special status species, natural processes, riparian, and relict vegetation values associated with this ACEC is needed in the FEIS.

We believe that portions of the following additional ACECs proposed under Alternatives C and D warrant special designation based on the relatively greater potential for direct and indirect environmental impacts from heavy and concentrated OHV open travel areas proposed under Alternative B:

- 1) Parker Mountain ACEC: this new ACEC would provide needed special management attention to protect and prevent irreparable damage to a number of important resource values including sagebrush steppe, sage grouse, Utah prairie dog, and Pygmy rabbits habitats in/around the 270 acre Big Rocks Trials Area.
- 2) Rainbow Hills ACEC: this new ACEC would provide needed special management attention to protect and prevent irreparable damage to a number of important resource

values including mule deer habitat, natural systems, and special status species (i.e., Utah phacelia, Arapien stickleaf, Wards penstemon, rainbow rabbitbrush, Sigurd townsendia, and Glenwood milkvetch) in/around the 3,300 acre Glenwood Play Area.

Riparian/Wetland Areas

Consistent with EPA's regulatory responsibilities under the Clean Water Act, we consider the protection and restoration of the RFOPA's riparian areas/wetlands to be a high priority. Representing approximately 1% of vegetation in the RFOPA (as stated on page 3-80 of the Analysis of Management Situation for this Draft RMP/EIS), these resources are particularly valuable within a very arid region of the western U.S. These wetlands can contain diverse functions (e.g., flood storage and ground water recharge) and unique resources, such as rare hanging garden ecosystems, rare plant or wildlife species (including the endangered southwestern willow flycatcher), or health indicator species including amphibians, arthropods, bats, etc.

Page 2-127 of the Draft RMP/EIS states BLM's conclusion that "significant impacts to riparian resources would not be anticipated under any of the alternatives." However, we could not find any detailed discussion to support this conclusion including: 1) the acreage and types of riparian/wetland resources that occur within the RFOPA; 2) characterization of the functional values these resources provide; 3) the current functional condition of these resources; 4) the BLM's plans for restoring riparian areas where these resources are either functioning at risk or are in a non-functioning condition. We recommend that this information be included in the FEIS, including any relevant information from the BLM's Utah Riparian Management Policy.

We are also concerned that Alternative B proposes to reduce the existing buffer zone in which no surface disturbance would be allowed from 500 to 330 feet of each side of all riparian areas. While a 330 foot riparian buffer zone will afford wetlands some degree of protection from oil and gas production, recreation, and other potential impacts, we recommend that 500 foot buffer be retained for wetlands: 1) identified as not in proper functioning condition; 2) vulnerable to these and other (e.g., grazing) impacts; and 3) along stream segments with steeper slopes or more erodible or sensitive soils. We also recommend that the 500 foot buffer be retained for riparian areas along the 13 miles of river segments eligible for WSR designation that are located outside WSAs and would not be managed to protect their outstandingly remarkable values as proposed under Alternative B.

Air Quality

In section 3.3.1 of the Draft RMP/EIS, reference is made to Chapter 3 of the Management Situation Analysis that includes an air quality analysis. Included with this analysis were descriptions of the emissions estimates of air pollution from 1996 in the region compiled by the Utah Air Quality Division (AQD). The FEIS should reference the more current emission estimates from the Utah AQD's most recent Annual Report (2005). It is not clear to us how these existing emission sources are interpreted in the Draft RMP/EIS to ensure the Air Quality and Visibility standards are met. We recommend that BLM disclose this information in the FEIS.

Although the Draft RMP/EIS discusses potential increases in the use of OHVs in the planning area, it does not present details of BLM's estimates of this increase (e.g., in vehicle-miles traveled or similar measure) that factored into the estimate of impacts. Please add more specific information on the role of increased OHV use in potential air quality impacts and whether and how BLM's decision to move to a predominantly designated recreational trail system may affect this.

Water Quality

We are concerned about a number of natural and anthropogenic contaminant sources identified in the Draft RMP/EIS that have impacted or could directly impact surface and ground water resources, and indirectly impact aquatic plant and fish species. These sources and resultant impacts include erosion of saline soils, invasive plants (e.g., tamarisk) introducing salts into riparian streams, temperature and restricted flows from return irrigation, sedimentation from grazing, and a variety of impacts from OHV travel and dispersed camping in/around streambeds and stream crossings. Where water bodies are particularly vulnerable to various impacts including phosphorous loading, temperature changes, and total dissolved solids contamination (i.e., surface waters including the Clean Water Act 303(d) impaired river and stream segments along the Sevier River and its East Fork, Lost Creek, Peterson Creek, Lower Ivie Creek, and San Pitch River Mill Creek, and groundwater resources including the Navajo Formation adjacent to Muddy Creek), more site-specific information is needed in the FEIS on how water quality is being threatened and/or impacted from one or more of these contaminant sources.

We are also concerned that Alternative B proposes to reduce the existing buffer zone in which no surface disturbance would be allowed from 500 to 330 feet of each side of all natural springs. In particular, we believe that the 500 foot buffer zone needs to be retained to adequately protect surface and ground water resources where these springs: 1) are hydrologically connected to impacted and threatened surface water bodies including 303(d) are listed stream or river segments; 2) are near stream crossings where recreational (e.g., OHV) travel occurs; and 3) serve as sources of drinking water for a number of communities within the FROPA (see page 3-9).